

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
	:	Art Unit: 3612
Manfred PFALZGRAF)	
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Application No.: 09/813,353)	Examiner: D. Pedder
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Filed: March 21, 2001)	
	:	
For: MOTOR VEHICLE ROOF WITH)	
TWO COVERS	:	

Declaration of Bernd Schleicher

I, Bernd Schleicher, hereby declare that:

As Manager R & D Roof Systems, being employed by "Webasto" since 1982 and working in the field of automobile engineering, I have gathered vast experience over the years in designing sliding vehicle roofs.

During my work in this field, I made inventions resulting in a number of patents, see, for example, U.S. Patent 4,699,421 relating to a sliding and lifting roof for vehicles, U.S. Patent 6,481,787 B1 relating to a sliding motor vehicle roof, U.S. Patent 6,457,770 B1 relating to a vehicle roof with adjustable covers and U.S. Patent 6,565,149 B2 relating to a vehicle roof with displaceable covers.

I have reviewed the specification and drawings of the above-identified U.S. Patent Application of Manfred PFALZGRAF (hereafter the "PFALZGRAF Application"). With my knowledge and experience, I am able to make and use the invention of the PFALZGRAF Application. The movement of the rear cover 15, for example, can be accomplished by means of a mechanism which I have designed using known elements based upon reading the application, this mechanism being shown schematically in the Figures 4, 5 and 6 of the enclosed figure sheet.

In order to move the rear edge 18 of the rear cover 15 (see claim 2 and claim 7 of the PFALZGRAF Application), a guide track follower, such as a roller or a pin 30 is carried by a support 31 mounted close to the rear edge 18 of the rear cover 15 and is movably guided along a lateral guide rail 32. This guide rail 32 has a main section 33 where the guide rail 32 follows the roof contour over most of its length and a front

section 34 where the pin 30 is moved downwards and forward on a lower level according to the representation of the arrow 27 (see Fig. 2D of the application).

For carrying and moving the front edge 17 of the rear cover 15 (see the movements of the cover according to claim 1), the mechanism has a swinging or lifting lever 35 which is supported by way of a pivot bearing 36 which, for example, is formed by a pin 36 which is arranged on an arm 46 of a slider 47 which is slidably mounted in a longitudinal guide rail 37 provided on a lateral roof frame. The lifting lever 35 has a front leg 38 and a back leg 39. The back leg 39 is hinged at its rear end to a support 40 mounted close to the front edge 17 of the rear cover 15. The front leg 38 is guided on its front end along a control guide rail 41 by way of a pin 42 (alternatively, a slider is movably guided along the control guide rail 39 and the front leg 36 is connected with the slider by way of a pivot bearing). The control guide rail 41 has a first control segment 43 which rises in a forward direction and passes into a main segment 44 which runs parallel to the longitudinal guide rail 37.

The slider 47, and thus the pin 36 of the lifting lever 35, is connected with a drive cable 45.

In the closed position of the vehicle roof the front edge 17 of the rear cover 15 (see Fig. 2A and new Fig. 5) is held in its position by the lifting lever 35 which has a swinging position such that the pin 42 of the front leg 38 is positioned in the lower end region of the control guide rail 41. When the drive cable 45 moves the pin 36 and thus the lifting lever 35 in a forward direction along guide rail 37, simultaneously the pin 42 is moved upwards along the first control segment 43 resulting in a pivoting movement of the lifting lever 35 until the pin 42 reaches the main segment 44 (Fig. 5 to Fig. 6). During a further forward movement of pin 36 and the pin 42 along the main segment 44 of the guide rail 41, the lifting lever 35 is kept in its pivoting position with the back leg 39 lowered. Simultaneously, the pin 30 of the rear edge 18 of the rear cover 15 moves along the lateral guide rail 32.

The arrangement for moving the front edge 17 is designed such that the front edge 17 moves downward and then forward as described in the application. In order to close the vehicle roof the drive cable 45 moves the pin 36 in rearward direction.

It is apparent that the mechanism as described can be easily implemented and provided on the vehicle roof in order to be used for moving the front cover 14 as

described and claimed in the application without undue experimentation using known techniques based on the teachings provided by the PFALZGRAF Application.

I understand that it is the Examiner's position that the differences in movements between the movement mechanism of U.S. Patent 4,911,497; U.S. Patent 4,911,497; and French Patent 2,730,958 and the invention of the PFALZGRAF Application are such that the picking and choose of aspects from them to produce a mechanism capable of performing the movements of the PFALZGRAF Application prevents them from evidencing that necessary movement mechanism could be made based on what is taught in the PFALZGRAF Application. However, such a conclusion ignores the fact that those working in the motor vehicle roof art to which the PFALZGRAF Application is directed routinely adapt movement mechanisms that perform one type of movement to produce another type of movement. Thus, given the structure shown in the PFALZGRAF Application and the type of movement to be provided, it would be nothing more than a routine matter to adapt known techniques to achieve the described movements, as my ability to quickly produce the arrangement shown in the appended figures evidences.

All statements made herein of my knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.


Bernd Schleicher March 20 04
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Encl.: Figure sheet with Figs. 4, 5 and 6

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